

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,
STATE OF MINNESOTA,
STATE OF CALIFORNIA,
STATE OF NORTH CAROLINA,
STATE OF TENNESSEE,
STATE OF TEXAS, AND
STATE OF UTAH

Plaintiffs,

v.

AGRI STATS, INC.

Defendant.

**AMENDED STIPULATION FOR
MODIFICATION OF DEADLINE
FOR DEFENDANT TO RESPOND
TO COMPLAINT**

No.: 0:23-CV-03009-JRT-JFD

Plaintiffs United States of America and the States of Minnesota, California, North Carolina, Tennessee, Texas, and Utah (“Plaintiffs”), and Defendant Agri Stats, Inc. (“Defendant,” and together with Plaintiffs, the “Parties”), by and through counsel, hereby stipulate as follows:

WHEREAS, on September 28, 2023, the United States filed the initial Complaint in this action, *see* ECF. No. 1;

WHEREAS, on November 6, 2023, the United States filed an Amended Complaint pursuant to Fed. R. Civ. P. 15(a)(1), *see* ECF No. 30 (“Amended Complaint”), solely to add the States of Minnesota, California, North Carolina, and Tennessee as plaintiffs;

WHEREAS, on November 8, 2023, Defendant filed a Motion to Transfer Venue, *see* ECF No. 42, for which briefing has not yet been completed and a hearing date has not yet been set;

WHEREAS, pursuant to Fed. R. Civ. P. 15(a)(2) and with the written consent of Defendant, on November 15, 2023, Plaintiffs filed a Second Amended Complaint solely to add the States of Texas and Utah as additional plaintiffs;

WHEREAS, Defendant is presently required to answer or otherwise respond to the Second Amended Complaint on or before November 29, 2023;

WHEREAS, Defendant seeks and Plaintiffs consent to an extension of the date by which Defendant must answer or otherwise respond to the Second Amended Complaint;

WHEREAS, counsel for the Parties met and conferred by telephone on November 9, 2023, November 14, 2023, and November 15, 2023 and believe that an order from the Court extending the date by which Defendant must answer or otherwise respond to the Second Amended Complaint would serve the interest of preserving judicial and party resources;

WHEREAS, Defendant asserts that there is good cause to extend Defendant's responsive pleading deadline because:

- The Parties are currently in the process of briefing Defendant's Motion to Transfer Venue ("Motion to Transfer"), with Plaintiffs' response(s) to that motion due on or before November 29, 2023, and Defendant's reply memorandum due within 14 days thereafter (*see* District of Minnesota Local Rule 7.1(c));

- In light of the need to brief the Motion to Transfer, Defendant requires additional time to prepare its response to the Second Amended Complaint or move the Court for a longer extension of time to respond;
- There is approximately one week until the November 29, 2023, responsive pleading deadline that otherwise would apply, and Defendant and its counsel will face a substantial burden in responding to the Second Amended Complaint by that time, including because of travel associated with the intervening Thanksgiving holiday; and
- Defendant and Plaintiffs had numerous discussions on the extension and although Plaintiffs will not consent to extending the response deadline until after the Motion to Transfer is decided, Plaintiffs will agree to the limited extension of time requested herein, having determined that such is not unduly prejudicial to Plaintiffs.

WHEREAS, this is the Parties' first occasion (including the stipulation filed on November 15, 2023 (ECF No. 51)) on which the parties have stipulated to a request for an extension of time to respond to the operative complaint;

NOW THEREFORE, in light of the above-referenced facts, the Parties stipulate and respectfully request that the Court enter an Order providing that the date by which Defendant shall answer or otherwise respond to the Second Amended Complaint shall be extended to January 5, 2024.

IT IS SO STIPULATED.

Respectfully submitted by:

Dated: November 21, 2023

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